

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

BRIAN C. LEWIS (DCBN 476851)
Assistant United States Attorney

1301 Clay Street, Suite 340-S
Oakland, California 94612
Telephone: (510) 637-3680
Facsimile: (510) 637-3724
E-Mail: brian.lewis@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 4-11-70366 MAG
)	
Plaintiff,)	
)	DETENTION ORDER
v.)	
)	
SARA RAE TOWNSEND,)	
)	
Defendant.)	

I. DETENTION ORDER

Following a hearing under 18 U.S.C. § 3142(f), considering the factors set forth in section 3142(g), and for the reasons stated on the record in open court, the Court finds that in this presumption case, *see* section 3142(e)(3)(A), and on this record, no condition or combination of conditions in section 3142(c) will reasonably assure the defendant's appearance in this case or the safety of any other person or the community. In particular, the court was concerned that the defendant apparently fled the Northern District of Georgia based on her knowledge of federal charges, and spent time here (despite a minor child in George) under circumstances that strongly suggest knowledge of the federal charges. At the same time, the court believes that conditions

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(including a custodian such as Ms. Townsend's mother) and a secured bond might address the court's concerns (which are primarily about risk of flight). The court also notes that unlike her co-defendant, Ms. Townsend has no criminal history. The court's assessment about the amount of the secured bond also might be influenced by factors such as the willingness of the mother to supervise Ms. Townsend closely. The bail study does show support not only from Ms. Townsend's mother, but also from co-defendant Laughlin's parents (the grandparents of her minor child). In circumstances like these, when a defendant has a minor child, no criminal history, and substantial family support, conditions potentially could be fashioned to address the serious concerns about flight that Ms. Townsend raised by her actions in fleeing the pending federal charges. But without addressing custodians and sureties in person, the court does not have sufficient information to conclude that conditions of release (such as the unsecured bond proposed by counsel or even a bond co-signed by sureties) would address the risk of flight.

This conclusion is based only on the facts before the court, and the court issues this detention order without prejudice to the defendant's revisiting the issue of detention either here or in the Northern District of Georgia.

II. CONCLUSION

The court detains the defendant as a danger to the community and as a flight risk without prejudice to her raising the bail issue at a future hearing. The Court orders the defendant committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. *See* 18 U.S.C. § 3142(i)(2). The defendant must be afforded a reasonable opportunity to consult privately with counsel. *See id.* § 3142(i)(3). On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility must deliver the defendant to the United States Marshal for a court appearance. *See id.* § 3142(i)(4).

IT IS SO ORDERED.

Dated: April 18, 2011



LAUREL BEELER
United States Magistrate Judge

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